

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING AN AMENDMENT TO THE MONTIEL ROAD MASTER PLAN ALONG WITH A PRECISE DEVELOPMENT PLAN FOR A CONTRACTOR SERVICE OFFICE AND OUTDOOR EQUIPMENT STORAGE

APPLICANT: West Coast Arborists CASE NO.:
PL22-0512

The City Council of the City of Escondido ("City"), California, DOES HEREBY ORDAIN as follows:

SECTION 1. The City Council makes the following findings:

a) West Coast Arborists ("Applicant") filed a land use development application, Planning Case No. PL22-0512 ("Application") constituting a request for an Amendment to the Montiel Road Planning Area Master Plan (land use matrix and development standards), along with a Precise Development Plan and Conditional Use Permit to allow construction services with fleet parking and construction equipment storage as a conditionally permitted use ("Project"), on an approximately 1.3-acre parcel located on the south side of Montiel Road, north of Highway 78, west of Interstate 15, addressed at 1359 Montiel Road (Assessor's Parcel Number 228-240-54-00), and more particularly described in Exhibit "A" attached to this Ordinance and incorporated by this reference as though fully set forth herein ("Property"); and

b) The Application was submitted to, and processed by, the Planning Division of the Development Services Department as Planning Case No. PL22-0512. The Applicant seeks approval of an Amendment to the Montiel Road Planned Development to allow contractor services with outdoor equipment storage as Conditional Use, and a modification to the landscape standards for the subject parcel, as shown on Exhibit "B" (Planned Development Modification), along with a Precise Development Plan for proposed improvements to the subject site and building(s), as shown on Exhibit "C" (Precise Development Plan), and on file in the Planning Division, and incorporated herein by this

reference as though fully set forth.

d) The Planning Division of the Development Services Department completed its review and scheduled a public hearing regarding the application before the Planning Commission on March 28, 2023. Following the public hearing on March 28, 2023 the Planning Commission adopted Resolution No. 2023-06, which recommended that the City Council, among other things, approve the Project, including actions to amend the Montiel Road Planned Development and to approved a Precise Development Plan and Conditional Use Permit.

SECTION 2. An original copy of the proposed Amendment to the Montiel Road Planned Development, and Precise Development Plan and all other related Project materials are on file in the Office of the City Clerk, with a copy of each document submitted to the City Council for its consideration. The City Clerk, whose office is located at 201 North Broadway, Escondido, California 92025, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the City Council's decision is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act.

SECTION 3. The City Council did on April 19, 2023 hold a duly noticed public hearing as prescribed by law. Evidence was submitted to and considered by the City Council, including, without limitation:

a) Written information including all application materials and other written and graphical information posted on the project website.

b) Oral testimony from City staff, interested parties, and the public.

c) The City Council staff report, dated April 19, 2023 which along with its attachments, is incorporated herein by this reference as though fully set forth herein, including the Planning Commission's recommendation on the request.

d) Additional information submitted during the public hearing.

SECTION 4. Pursuant to the California Environmental Quality Act, Public Resource Code section 21000 et seq. ("CEQA") the Project is categorically exempt from environmental review in conformance with CEQA Guidelines section 15301 (Existing Facilities), section 15303 (New Construction of Small Structures), section 15305 (Minor Alteration in Land-Use Limitations), and section 15332 (Infill Development). The City Council adopts such categorical exemption, which is provided as Attachment 2 to the April 19, 2023 staff report and incorporated herein by this reference as though fully set forth herein, and a Notice of Exemption will be filed with the County Clerk.

SECTION 5. That, upon consideration of the Factors to be Considered/Findings of Fact attached as Exhibit "D" and incorporated herein by reference as though fully set forth herein, the City Council approves the amendment to the Montiel Road Planned Development and Precise Development Plan, attached as Exhibits "B" and "C" respectively.

SECTION 6. Concurrently with the action on this Ordinance, the City Council is taking a number of actions in furtherance of the Project, as generally described in the April 19, 2023 City Council staff report. No single component of the series of actions made in connection with the Project shall be effective unless and until it is approved by an Ordinance or Resolution and is procedurally effective in the manner provided by state law. Therefore, this Ordinance shall become effective and operative only if City Council Resolution No. 2023-08 is approved.

SECTION 7. All references within this Ordinance to "Applicant" or "Developer," shall be equally applicable to the current property owner and to any successors-in-interest or assigns, whether such successors of assigns own, control, or otherwise have development authority for all, a portion, or portions of that property included within the Project site.

SECTION 8. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional for any reason by any court of competent

jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 9. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10. The City Council authorizes all subsequent action to be taken by City Officials consistent with this Ordinance.

SECTION 11. That the City Clerk is hereby directed to certify to the passage of this Ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

SECTION 12. The Ordinance shall become effective 30 days from the date of the passage.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 10th day of MAY, 2023 by the following vote to wit:

AYES : Councilmembers: GARCIA, GARCIA, MORASCO, MARTINEZ, WHITE

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

DocuSigned by:
Dane White
19FEE5DB8C3B409...
DANE WHITE, Mayor of the
City of Escondido, California

ATTEST:

DocuSigned by:
Zack Beck
A58535D0BDC1430...
ZACK BECK, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, Zack Beck, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2023-08 passed at a regular meeting of the City Council of the City of Escondido held on the 19th day of April, 2023, after having been read at the regular meeting of said City Council held on the 10th day of May, 2023.

DocuSigned by:
Zack Beck
A58535D0BDC1430...
ZACK BECK, City Clerk of the
City of Escondido, California

ORDINANCE NO. 2023-08

EXHIBIT "A"

Legal Description

Ordinance No. 2023-08

Real property in the City of Escondido, County of San Diego, State of California, described as follows:

THAT PORTION OF LOTS 13 AND 14 IN BLOCK 1 OF RANCHO LOS VALLECITOS DE SAN MAROOS SHOWN ON MAP NO. [806](#), IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 21, 1895, LYING NORTHERLY OF THE NORTHWESTERLY RIGHT OF WAY LINE OF THE INTERCHANGE OF STATE FREEWAYS 11-SD-78 AND 11-SD-15; SAID PORTION HEREBY CONVEYED DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 13; THENCE ALONG THE NORTHEASTERLY LINE OF SAID LOTS 13 AND 14, SOUTH 62° 20' 58" EAST, 368.04 FEET TO SAID NORTHWESTERLY RIGHT OF WAY LINE; THENCE ALONG SAID RIGHT OF WAY LINE, SOUTH 70° 39' 15" WEST, 149.23 FEET AND SOUTH 85° 12' 46" WEST, 314.42 FEET TO THE NORTHWESTERLY, LINE OF SAID LOT 13; THENCE ALONG LAST LINE, NORTH 27° 27' 59" EAST, 277.79 FEET TO THE POINT OF BEGINNING.

APN: 228-290-54-00

EXHIBIT "B"

Ordinance No. 2023-08 (Montiel Road Master Plan Modifications)

The following land use is added to the Land-Use Matrix:

Section 2.0 Land Uses

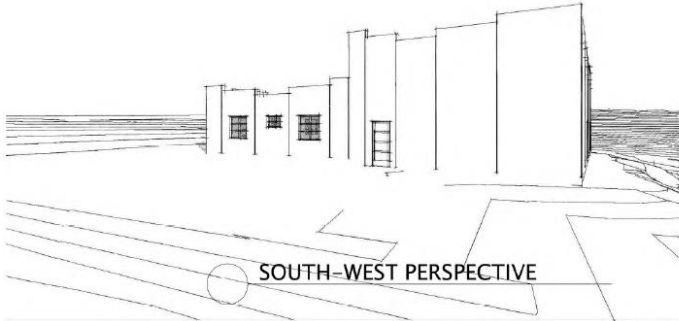
| Use Title | Permitted | Conditional Use Permit |
|---|-----------|------------------------|
| Contractor Office and Support Services (including warehouse facilities, and fleet and support equipment storage as accessory uses, but excluding outdoor storage of materials unless kept on fleet vehicles). | | C |

The following criteria is added to the Design Standards:

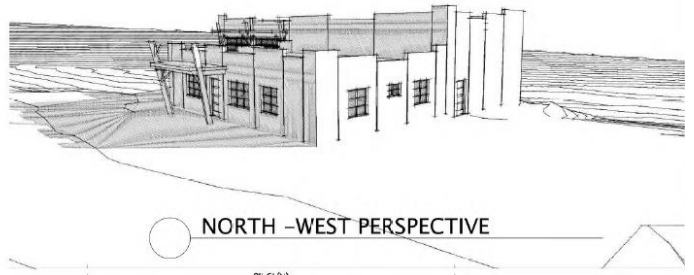
Section 3.0 Design Standards

3.1 Setbacks

- d. Highway 78: No landscape setback shall be required for Assessor Parcel No. 228-290-54-00 along the Highway 78 frontage/Interstate 15 transition lanes and west property boundary.



SOUTH-WEST PERSPECTIVE



NORTH -WEST PERSPECTIVE

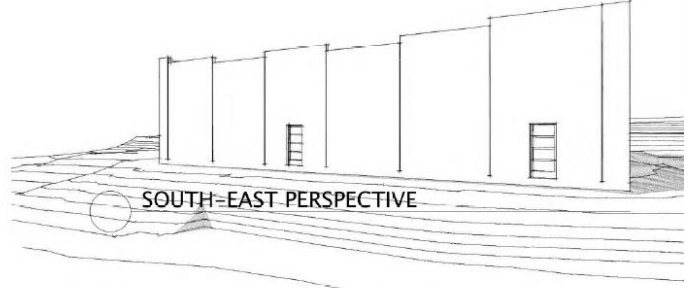
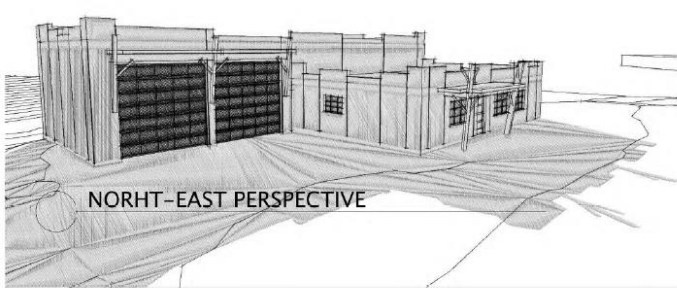


4 WEST ELEVATION



1 NORTH ELEVATION

- EXTERIOR FINISHES
- 1. ROOF PARAPET
 - 2. FLAT ROOF BEYOND
 - 3. MAIN STUCCO COLOR WITH BREAKS
 - 4. SHADE ROOF
 - 5. DECORATIVE COLUMNS
 - 6. OFFICE WINDOWS
 - 7. OVERHEAD SECTIONAL DOORS
 - 8. EXTERIOR DOORS



2 EAST ELEVATION

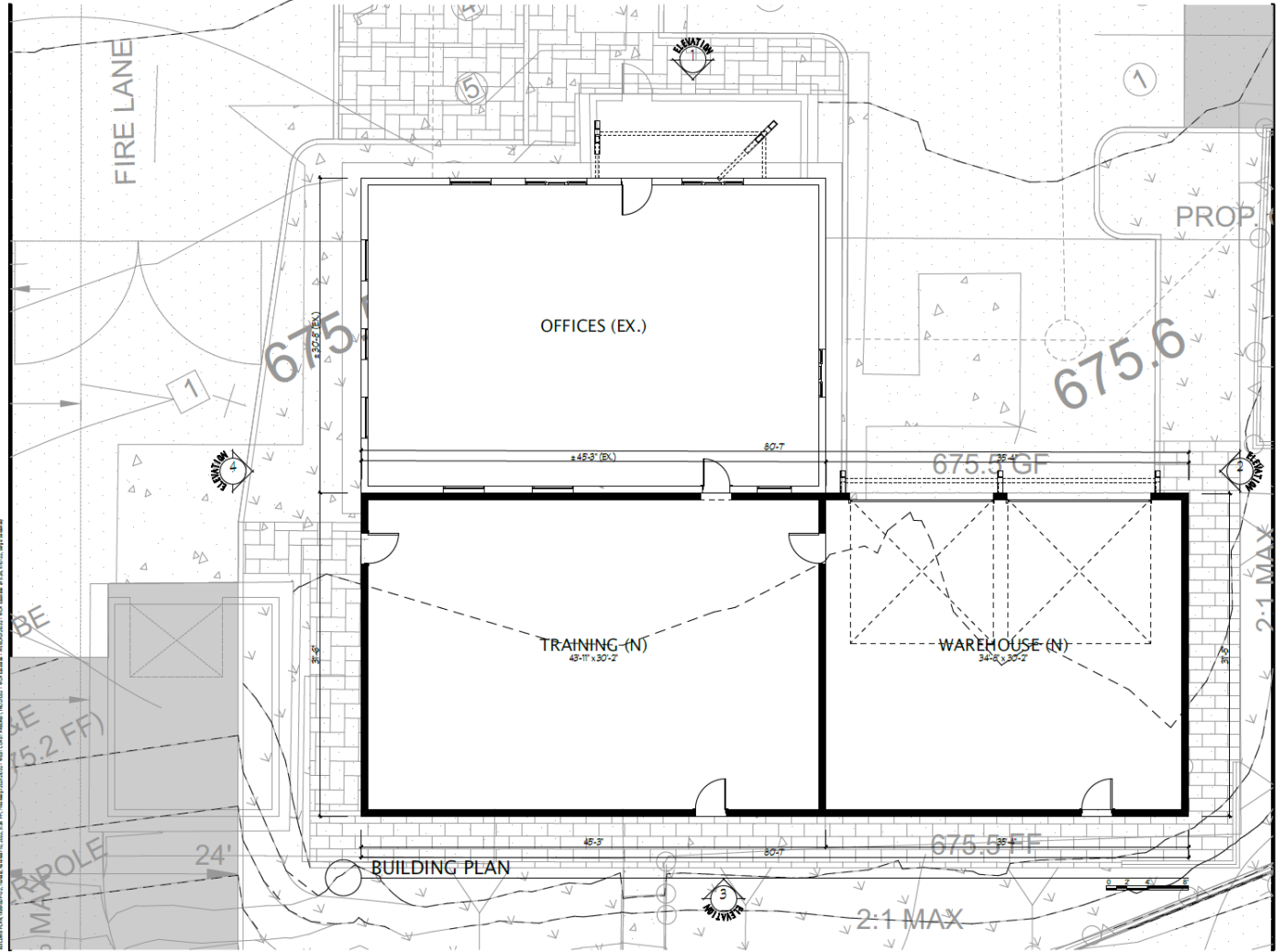


3 SOUTH ELEVATION

- EXTERIOR FINISHES
- 1. ROOF PARAPET
 - 2. FLAT ROOF BEYOND
 - 3. MAIN STUCCO COLOR WITH BREAKS
 - 4. SHADE ROOF
 - 5. DECORATIVE COLUMNS
 - 6. OFFICE WINDOWS
 - 7. OVERHEAD SECTIONAL DOORS
 - 8. EXTERIOR DOORS

0 2' 4' 8'

0 2' 4' 8'



PLANT PALETTE

Street Trees

- 24" BOX such as:
 - Laurus nobilis* (Sweet Bay)
 - Magnolia grandiflora* 'Little Gem' (Magnolia 'Little Gem')
 - Umbellularia californica* (California Laurel)

Entry and Interior Trees:

- Variety to exhibit trees with different characteristics.
- 24" BOX such as:
 - Quercus virginiana* (Southern Live Oak)
 - Taxodium aerea* (Cajalputzi Trumpet Tree)
 - Lagerstroemia indica* (Crape Myrtle)
 - Eriobotrya delavaya* (Bronze Loquat)
 - Palm Species

Freeway Screen Trees:

- 15 Gal. MIN. such as:
 - Lophostemon confertus* (Brisbane Box)
 - Cupressus x leylandii* (Leyland Cypress)
 - Pinus thunbergii* (Japanese Black Pine)

Perimeter Screening Shrubs:

- 5 Gal. Min. - such as:
 - Photinia davidiana* (Chinese Photinia)
 - Nerthra fruticosa* (Coast Rosemary)
 - Dodonaea viscosa* 'Purpurea' (Purple Hopseed Bush)

Parkway Shrubs:

- 1 Gal. Min. - such as:
 - Lamandra longifolia* 'Breese' (Dwarf Mat Rush)
 - Callistemon x viminalis* 'Little John' (Bottlebrush Little John)

Perimeter Groundcover:

- 1 Gal. or flats - such as:
 - Myoporum parvifolium* (Myoporum)
 - Rosmarinus officinalis* (Rosemary)

Interior Shrubs and Ground Cover:

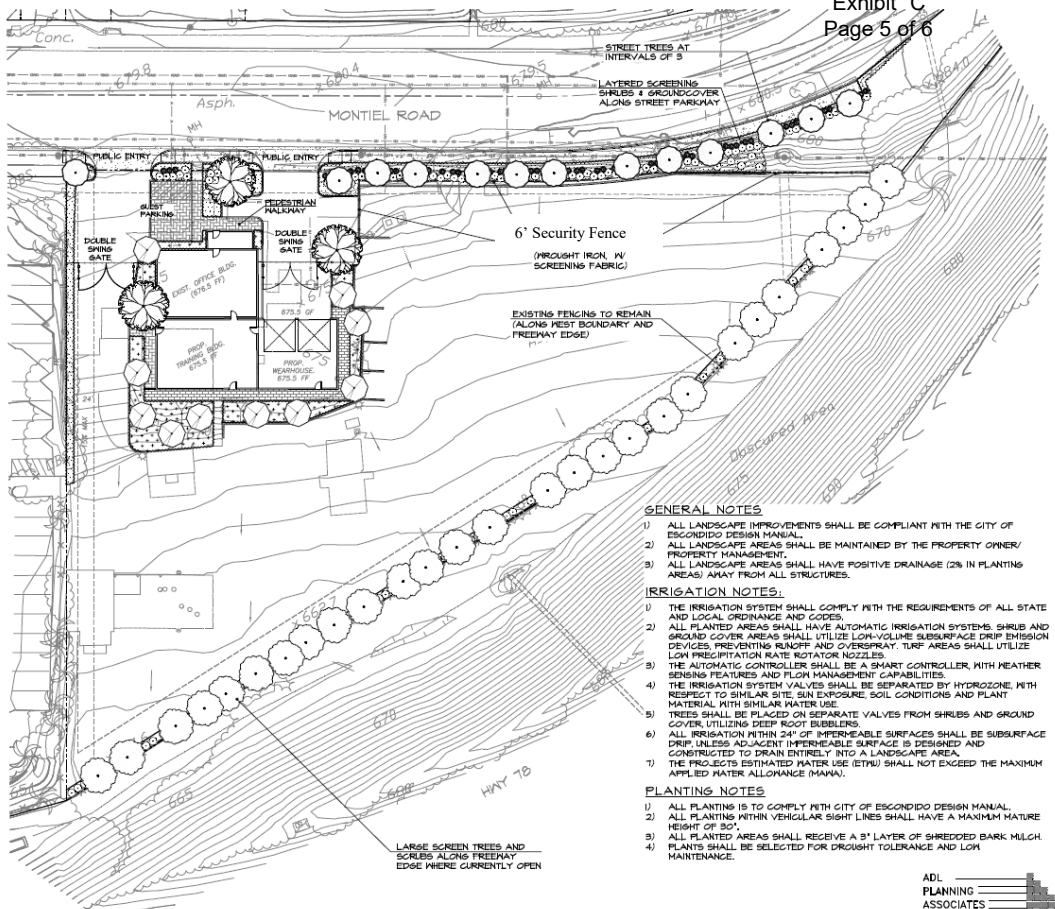
- 5 Gal. 1 Gal. or Liners - such as:
 - Agapanthus africanus* (Lily of the Nile)
 - Agave attenuata* (Foxtail Agave)
 - Salvia leucantha* (Mexican Bush Sage)
 - Streptocarpus reginae* (Bird of Paradise)
 - Myoporum parvifolium* (Myoporum)
 - Lamandra longifolia* 'Breese' (Dwarf Mat Rush)
 - Baccharis pilularis* (Dwarf Coyote Bush)
 - Rosmarinus officinalis* (Rosemary)



6' Security Fence

WROUGHT IRON STYLE FENCE

(SHOWN WITHOUT SCREENING FABRIC AND PLANT MATERIAL)
(GATES TO BE OF SAME STYLE)



GENERAL NOTES

- 1) ALL LANDSCAPE IMPROVEMENTS SHALL BE COMPLIANT WITH THE CITY OF ESCONDIDO DESIGN MANUAL.
- 2) ALL LANDSCAPE AREAS SHALL BE MAINTAINED BY THE PROPERTY OWNER/PROPERTY MANAGEMENT.
- 3) ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE (2% IN PLANTING AREAS) AWAY FROM ALL STRUCTURES.

IRRIGATION NOTES:

- 1) THE IRRIGATION SYSTEM SHALL COMPLY WITH THE REQUIREMENTS OF ALL STATE AND LOCAL ORDINANCE AND CODES.
- 2) ALL PLANTED AREAS SHALL HAVE AUTOMATIC IRRIGATION SYSTEMS. SHRUB AND GROUND COVER AREAS SHALL UTILIZE LOW-VOLUME SUBSURFACE DRIP EMISSION DEVICES. PREVENTING RUNOFF AND OVERSPRAY. TURF AREAS SHALL UTILIZE LOW PRECIPITATION RATE ROTATOR NOZZLES.
- 3) THE AUTOMATIC CONTROLLER SHALL BE A SMART CONTROLLER, WITH WEATHER SENSING FEATURES AND FLOW MANAGEMENT CAPABILITIES.
- 4) THE IRRIGATION SYSTEM VALVES SHALL BE SEPARATED BY HYDROZONE WITH RESPECT TO SIMILAR SITE, SUN EXPOSURE, SOIL CONDITIONS AND PLANT MATERIAL WITH SIMILAR WATER USE.
- 5) TREES SHALL BE PLACED ON SEPARATE VALVES FROM SHRUBS AND GROUND COVER, UTILIZING DEEP ROOT BUBBLERS.
- 6) ALL IRRIGATION WITHIN 24" OF IMPERMEABLE SURFACES IS DESIGN CONSTRUCTED TO DRAIN ENTIRELY INTO A LANDSCAPE AREA.
- 7) THE PROJECTS ESTIMATED WATER USE (ETWU) SHALL NOT EXCEED THE MAXIMUM APPLIED WATER ALLOWANCE (MAWA).

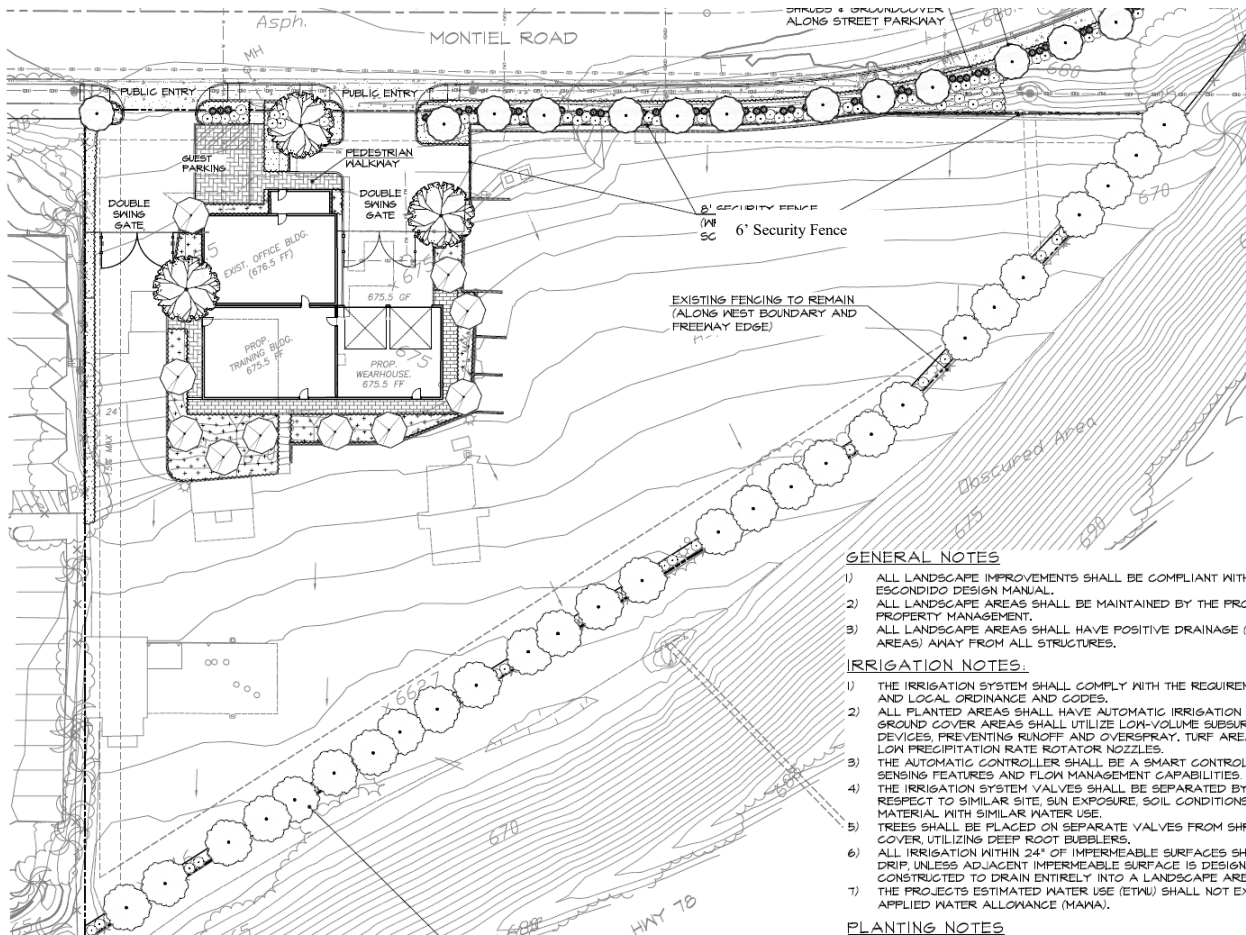
PLANTING NOTES

- 1) ALL PLANTING IS TO COMPLY WITH CITY OF ESCONDIDO DESIGN MANUAL.
- 2) ALL PLANTING WITHIN VEHICULAR SIGHT LINES SHALL HAVE A MAXIMUM TREE HEIGHT OF 8'0".
- 3) ALL PLANTED AREAS SHALL RECEIVE A 3" LAYER OF SHREDDED BARK MULCH MAINTENANCE.
- 4) PLANTS SHALL BE SELECTED FOR DROUGHT TOLERANCE AND LOW MAINTENANCE.

ADL
PLANNING
ASSOCIATES
LANDSCAPE ARCHITECTURE
3979 STATE STREET SUITE 100
CARLSBAD, CA 92008
949.434.4337 FAX: 949.434.9334
FEBRUARY 6, 2023



Landscape Concept Plan for:
West Coast Arborist



GENERAL NOTES

- 1) ALL LANDSCAPE IMPROVEMENTS SHALL BE COMPLIANT WITH ESCONDIDO DESIGN MANUAL.
- 2) ALL LANDSCAPE AREAS SHALL BE MAINTAINED BY THE PRC PROPERTY MANAGEMENT.
- 3) ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE (AREAS) AWAY FROM ALL STRUCTURES.

IRRIGATION NOTES:

- 1) THE IRRIGATION SYSTEM SHALL COMPLY WITH THE REQUIREMENTS AND LOCAL ORDINANCE AND CODES.
- 2) ALL PLANTED AREAS SHALL HAVE AUTOMATIC IRRIGATION. GROUND COVER AREAS SHALL UTILIZE LOW-VOLUME SUBSURFACE DRIP EMISSION DEVICES. PREVENTING RUNOFF AND OVERSPRAY. TURF AREAS SHALL UTILIZE LOW PRECIPITATION RATE ROTATOR NOZZLES.
- 3) THE AUTOMATIC CONTROLLER SHALL BE A SMART CONTROL WITH WEATHER SENSING FEATURES AND FLOW MANAGEMENT CAPABILITIES.
- 4) THE IRRIGATION SYSTEM VALVES SHALL BE SEPARATED BY HYDROZONE WITH RESPECT TO SIMILAR SITE, SUN EXPOSURE, SOIL CONDITIONS AND PLANT MATERIAL WITH SIMILAR WATER USE.
- 5) TREES SHALL BE PLACED ON SEPARATE VALVES FROM SHRUBS AND GROUND COVER, UTILIZING DEEP ROOT BUBBLERS.
- 6) ALL IRRIGATION WITHIN 24" OF IMPERMEABLE SURFACES IS DESIGN CONSTRUCTED TO DRAIN ENTIRELY INTO A LANDSCAPE AREA.
- 7) THE PROJECTS ESTIMATED WATER USE (ETWU) SHALL NOT EXCEED THE MAXIMUM APPLIED WATER ALLOWANCE (MAWA).

PLANTING NOTES



EXHIBIT "D"

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

Ordinance No. 2023-08

PLANNING CASE NUMBER: PL22-0512

Environmental Determinations:

1. Pursuant to the California Environmental Quality Act, ("CEQA"), Public Resources Code section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), Article 14 of the California Code of Regulations section 15000 et. seq., the City of Escondido ("City") is the Lead Agency for the project ("Project"), as the public agency with the principal responsibility for approving the Project.
2. The Project qualifies for an exemption from further environmental review pursuant to CEQA Guidelines section 15301 (Existing Facilities), section 15303 (New Construction of Small Structures), section 15305 (Minor Alteration in Land-Use Limitations), and section 15332 (Infill Development). The proposed development is located on an infill commercial/industrial zoned parcel surrounded by urban uses and proposes building additions less than 10,000 square feet. The site has previously been developed and fully disturbed, and used for a variety of residential, commercial and industrial/storage type uses. Therefore, the site has no value for special status species. The property can be adequately served by all required utilities and public services, and the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed modification to land-use limitations only involves a modification to the list of permitted/conditionally permitted uses. The Project also does not trigger any exceptions to the categorical exemption as listed in CEQA Guidelines section 15300.2.
3. The Planning Commission has independently considered the full administrative record before it, which includes but is not limited to the March 28, 2023, Planning Commission staff report; testimony by staff and the public; and other materials and evidence submitted or provided to it. The administrative record demonstrates that each of the above requirements have been satisfied. No substantial evidence has been submitted that would support a finding that any of the above-described exemption requirements have not been satisfied. The Project will not have a significant effect on the environment, and all of the requirements of CEQA have been met.
3. All of the requirements of the California Environmental Quality Act have been met because it was found that the project will not have a significant effect on the environment as demonstrated in the Class 1, 3, 5, and 32 CEQA Exemption prepared for the Project, dated March 23, 2023.

Planned Development Determinations:

1. The City's General Plan land-use designation for the project site is Planned Commercial (PC - Montiel Road #11). The Guiding Principles for this planning area include limited light industrial and commercial uses. Development is implemented through the Montiel Road Planning Area development plan. The Montiel Road Planning Area development plan allows for a variety of commercial, light industrial, warehouse, service, schools, trades, repair and warehouse type uses. The proposed use of the site for construction type services (office, storage and warehouse) with fleet/equipment storage would be similar to the variety of uses currently permitted/conditionally permitted. Therefore, the proposed Project, with the requested land-use amendment, would be consistent with the General Plan Guiding Principles for the planning area and the Montiel Road

Planning Area planned development. The overall design of the proposed Project will produce an attractive, efficient development that utilizes quality building materials and ample landscaping with appropriate on-site parking. The proposed project would not diminish the Quality-of-Life Standards of the General Plan as the project would not materially degrade the level of service on adjacent streets and intersections or public facilities, create excessive noise or compatibility impacts. Adequate on-site parking, circulation and public services can be provided to the site.

2. The approval of the proposed Project would be based on sound principles of land use and the project is well-integrated with the surrounding residential and commercially developed properties. The overall design produces an attractive, efficient and stable environment. The project site is zoned for limited industrial/commercial development and is adjacent to commercial/industrial development to the west and south across State Route 78. Multi-family residential development is located to the north across Montiel Road. Adequate on-site parking, access, on-site circulation and utilities would be provided. The Engineering/Traffic Division determined that all vehicular traffic generated by the Project would be accommodated safely and would not create any adverse impacts to the adjacent roadways or intersections. On-site grading would be minimal and the street along the site frontage would be improved to include appropriate road widening, curb, gutter and sidewalk. The proposed modification to the building and additions would be consistent with the height limits of the planned development and compatible with one- and two story residential and commercial/industrial developments along Montiel Road. The building architecture includes a more contemporary style and utilizes certain exterior elements and materials to be compatible with the mix of architectural styles and materials throughout the area. In addition, the site will be landscaped to further soften and screen views into the site from the adjacent roadways.
3. The Engineering Department and Utilities Department indicated there are adequate public services in the adjacent street and/or easements to support the project and the project would not provide an undue or negative impact on existing public facilities and services. The Project would be service by the Escondido Police and Fire Departments. The project would not adversely impact emergency services.
4. The site has previously been developed and paved and does not require extensive earth moving. Limited grading will be necessary to support the required street improvements and new building pad areas. A retaining wall up to five feet in height will be constructed along a portion of the Montiel Avenue street frontage and face inward towards the project site. The site is an infill development located within an urban area and does not contain any desirable natural features. The project is not located within a significant view-shed corridor and would not adversely obstruct any views of identified hillside and ridgelines from Interstate 15 and Highway 78. The project and building design/modifications with limited building height would not result in any visual obstruction or be disharmonious with the surrounding area and facilities, as described in the sections above.
5. The uses proposed have a beneficial effect not obtainable under existing zoning regulations and the Planned Development process is required to facilitate development of the project in accordance with the General Plan Land-Use designation of Planned Commercial, and the Guiding Principles for the Montiel Road Planning Area Planned Development. The subject site is zoned Planned Development-Commercial (PD-C) and Planned developments may set their own development standards to encourage creative approaches to the use of land through variation in the siting of buildings and design that enhances the appearance and usability of the project. The development proposes a variety of setbacks and appropriate orientation of the buildings and design features (including entries, loading and building access areas, storm water features, landscaping and walls) to correspond to and reduce potential impacts to the variety of adjacent land uses and the built environment. Approval of the proposed Project would be based on sound principles of land use and is well-integrated with its surroundings. All vehicular traffic generated by the Project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.